

Exhibit 370

United States of America ex rel. Ven-A-Care of the Florida Keys, Inc., et al.
v. Dey, Inc., et al., Civil Action No. 05-11084-PBS

**Exhibit to the August 28, 2009 Declaration of Sarah L. Reid in Support
of Dey's Opposition to Plaintiffs' Motion for Partial Summary Judgment**

30 of 127 DOCUMENTS

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HEADLINE: Police say con artist played cop Investigators say Michael T. Ricks used the guise to sexually assault women. Bail is set at \$1 million.

BYLINE: Amy Herdy Denver Post Staff Writer

BODY:

In his real job, Michael T. Ricks managed employees at Arby's, pulling whatever shift was needed.

In his imagination, and to the women he victimized, the 45-year-old former drama major was a chiropractor, a massage therapist, a physician and, now, officials say, an undercover police officer - and he used that guise to work the streets for easy prey.

Ricks, who initially faced 33 charges in Douglas County from June, including multiple counts of sexual assault and impersonation of a doctor, posted \$100,000 bond Oct. 29 and began almost immediately stalking women in Denver and surrounding areas until his arrest Monday night, police say.

"This guy is a real con artist," said Mark Fleecs, sergeant of the Denver vice unit. "We have reason to believe he has many victims of sexual assault out there, and we're hoping they come forward."

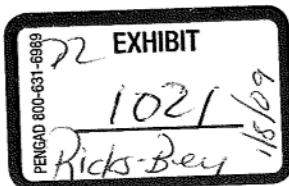
For the past few months, Fleecs said, members of the vice squad had been hearing about a man who claimed to be a cop and threatened women with arrest unless they agreed to sexual favors. Yet no one was able to provide them identifiable information until late Monday afternoon, he said.

Within hours, authorities from Denver, Aurora and Douglas County descended upon the Arby's at 4550 S. Buckley Way in Aurora and took Ricks into custody on two counts of impersonating an officer. Douglas County officials set his bail at \$1 million.

For Ricks to be impersonating a professional in order to manipulate others is nothing new to officials. In June, authorities accused Ricks of pretending to be a chiropractor and cosmetician and sexually assaulting women at clinics in Aurora and Highlands Ranch.

On March 28, Ricks entered a plea agreement with the district attorney's office that reduced his 33 charges down to two: one count of felony sexual assault and one count of misdemeanor unlawful sexual contact. He was to be sentenced June 9.

There were 10 victims in Ricks' Douglas County case, said Mike Knight, spokesman for the district attorney's



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office. He was charged in three felony cases and seven misdemeanor cases.

The one felony count and one misdemeanor count he pleaded guilty to March 28 encompassed all those charges, Knight said.

He does not know why Ricks was able to plead the multiple counts of that case down to two, he said.

"I don't think there were issues where the victims were uncooperative," Knight said, adding, "I'm sure if any number of the victims were adamant about not taking the plea, we wouldn't have."

As with the case of Brent J. Brents, a sexual offender whose case the district attorney's office came under fire for mishandling, Knight pointed out that current District Attorney Carol Chambers took office in January.

Police and others say that Ricks began to pose as a police officer almost as soon as he was out of jail.

One woman, who is not being named because she is a witness to crime, told The Denver Post she met him one morning in late February while ordering a sausage Egg McMuffin at McDonald's.

Ricks told her he was a police officer, the woman said, and briefly showed her a badge.

"He told me he was Denver vice and he busts prostitutes," the 28-year-old woman said.

On two occasions, she said, she had sex with him in his dark-colored Ford Explorer with tinted windows. He wore wire-rimmed glasses and was polite, she said, and although the incidents were consensual, she now feels duped.

"It's like a slap in the face," she said.

An employee at the Arby's where Ricks worked described him Monday night as "polite and a hard worker," but police say there is a sinister side to the man who is married and has a 5-month-old child.

"There's no telling what will come up on this guy," Fleecs said.

Anyone with information on the case is asked to call the Denver Police Department at 720-913-2000.

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